

- UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Nagra's Purchase of Easybox

4. Nagra purchased two set-top boxes used to access the Easybox service from <https://www.easybox.tv> ("Easybox.tv"). Payments were made via PayPal to PayPal account numbers ending in 8513 and 8797, which were accounts owned by Defendants Thi Nga Nguyen and Hung Tran, respectively. The set-top boxes Nagra purchased were shipped to the addresses of Nagra investigators located in the United States.

5. Easybox.tv had a "Where to Buy" page that identifies www.buyarabictv.com ("BuyArabicTV.com") and www.iptv4arab.com ("IPTV4Arab.com") as authorized Easybox dealers in the United States.

a. BuyArabicTV.com is owned and/or controlled by Finest Bargain Inc. of Folcroft, PA;

b. IPTV4Arab.com had a "Contact Us" page that identified ACE Discount Store, 786 Nostrand Ave., Brooklyn, NY 11216.

6. An Easybox set-top box received by Nagra included a return shipping address of 8160 Cadillac Hwy., Benzonia, MI 49616, which was the address of Xpert Fulfillment, Inc., a warehousing and logistics service provider.

Easybox Monitoring and Network Analysis

7. The Easybox set-top boxes that Nagra purchased were made through Nagra in Denver, Colorado or its investigator in the United States to ensure Nagra received the same equipment and service as any other user of Easybox located in the United States. Nagra also used a United States IP address in monitoring the Easybox service to make certain that channels observed by Nagra were available and not geo-blocked to users in the United States.

8. Nagra regularly monitored the LIVE TV section of the Easybox service. Attached as **Exhibit 1** is a true and correct copy of the results, listing each date that the Protected Channels were observed on the Easybox service by Nagra. The results are summarized in relevant part as follows:

a. Al Arabiya was observed on the Easybox service on February 5, 2016, and numerous times thereafter up through January 3, 2020;

b. Al Hayah 1 was observed on the Easybox service on January 26, 2016, and numerous times thereafter up through September 10, 2019;

c. Al Jazeera Arabic News was observed on the Easybox service on January 26, 2016, and numerous times thereafter up through November 13, 2019;

d. Al Jazeera Mubasher was observed on the Easybox service on June 22, 2017, and numerous times thereafter up through September 10, 2019;

e. ART Cima was observed on the Easybox service on February 26, 2018, and numerous times thereafter up through September 10, 2019;

f. ARY Digital was observed on the Easybox service on May 9, 2016, and numerous times thereafter up through September 10, 2019;

g. B4U Music was observed on the Easybox service on May 9, 2016, and numerous times thereafter up through March 22, 2019;

h. CBC was observed on the Easybox service on February 26, 2018, and numerous times thereafter up through September 10, 2019;

i. CBC Drama was observed on the Easybox service on September 27, 2018, and numerous times thereafter up through January 3, 2020;

j. Dream 2 was observed on the Easybox service on January 26, 2016, and numerous times thereafter up through September 10, 2019;

k. Future TV was observed on the Easybox service on February 23, 2016, and numerous times thereafter up through March 22, 2019;

l. Geo News was observed on the Easybox service on June 14, 2016, and numerous times thereafter up through March 22, 2019;

m. Geo TV was observed on the Easybox service on March 22, 2019;

n. Hekayat was observed on the Easybox service on December 13, 2016, and numerous times thereafter up through September 10, 2019;

o. Hum TV was observed on the Easybox service on January 24, 2017, and numerous times thereafter up through September 10, 2019;

p. Hum World was observed on the Easybox service on March 22, 2019, and several times thereafter up through July 10, 2019;

q. LBC was observed on the Easybox service on January 26, 2016, and numerous times thereafter up through January 3, 2020;

r. LDC was observed on the Easybox service on January 26, 2016, and numerous times thereafter up through December 11, 2019;

s. MBC1 was observed on the Easybox service on January 26, 2016, and numerous times thereafter up through January 3, 2020;

t. MBC Drama was observed on Easybox service on January 26, 2016, and numerous times thereafter up through August 6, 2019;

u. MBC Kids/MBC3 was observed on the Easybox service on January 26, 2016, and numerous times thereafter up through January 3, 2020;

v. MBC Masr was observed on the Easybox service on January 26, 2016, and numerous times thereafter up through January 3, 2020;

w. Melody Classic was observed on the Easybox service on March 1, 2016, and numerous times thereafter up through March 18, 2019;

x. SAB was observed on the Easybox service on May 16, 2016, and numerous times thereafter up through September 20, 2019; and

y. SET Max was observed on the Easybox service on June 22, 2017, and numerous times thereafter up through September 10, 2019.

9. Nagra analyzed the network traffic of the Easybox set-top box and service and concluded that computer servers identified by the following IP addresses, which are grouped by content delivery networks (“CDNs”), were used to retransmit the Protected Channels:

a. Global Layer B.V. of the Netherlands – 109.202.107.174; 109.202.108.222; 109.232.224.13; 109.232.227.38; 109.232.227.50; 134.19.180.26; 134.19.180.30; 134.19.181.172; 134.19.187.22; 134.19.187.198; 134.19.187.226; 134.19.191.166; 134.19.191.194; 185.23.213.74; 213.152.160.5; 213.152.168.6; 213.152.170.4; 213.152.170.56; 213.152.170.76; 213.152.173.36; 213.152.173.38; and 213.152.173.39 – DomainTools Whois records confirming that each IP address is assigned to Global Layer B.V. are attached as **Exhibit 2**;

b. WorldStream B.V. of the Netherlands – 62.112.8.82; 89.38.97.64; 190.2.131.56; and 217.23.13.8 – DomainTools Whois records confirming that each IP address is assigned to WorldStream B.V. are attached as **Exhibit 3**;

c. OVH Hosting, Inc. of Canada – 144.217.72.45; and 149.56.26.88 – DomainTools Whois records confirming that each IP address is assigned to OVH Hosting, Inc. are attached as **Exhibit 4**; and

d. Netrouting Inc. of the United States – 104.245.124.250 – DomainTools Whois records confirming that this IP address is assigned to Netrouting Inc. are attached as **Exhibit 5**.

10. On January 3, 2020, Nagra analyzed the network traffic of the Protected Channels transmitted on the Easybox service. Nagra concluded that the computer servers being used to transmit the Protected Channels are identified by IP addresses 134.19.180.26; 134.19.180.30; 134.19.191.194; and 213.152.173.38. DomainTools Whois records confirming that each of these IP address is assigned to Global Layer B.V. are attached as Exhibit 2. Disabling these computer servers will at least temporarily prevent Defendants from being able to distribute the Protected Channels on the Easybox service.

11. Nagra also analyzed the network traffic of the Easybox set-top box and service and concluded that two domain names are being used to distribute the Protected Channels. The domain names *e900x.com* and *k2442.com* are being used to identify the authentication server that provides Easybox-authorized users with access to the Protected Channels. Whois records for *e900x.com*, *k2442.com*, and *easybox.tv* are attached as **Exhibit 6**. Verisign, Inc. is the registry for .com and .tv domains. Transferring these domain names to DISH would stop Defendants, at least temporarily, from being able to distribute the Protected Channels to their service users in violation of DISH's rights.

Conclusion


12. The Protected Channels were routinely transmitted using the Easybox service, from the time Nagra started monitoring the service on January 26, 2016, up through the time of Nagra's most recent analysis of the service on January 3, 2020. Nagra identified at least 937 separate instances of the Protected Channels being transmitted on the Easybox service during that approximately 47 month time period. The Protected Channels were observed at various times and days of the week, demonstrating that Defendants generally transmitted the Protected Channels 24 hours per day, 7 days per week.

13. Nagra did, however, experience interruption or downtime in the transmission of the Protected Channels through the Easybox service. At times the Protected Channels were completely unavailable, while in other instances Nagra observed freezing or glitches such that the channels did not display properly or otherwise lacked in picture quality.

14. Disabling and transferring the *e900x.com*, *k2442.com*, and *easybox.tv* domains to DISH and disabling the computer servers identified by IP addresses 134.19.180.26; 134.19.180.30; 134.19.191.194; and 213.152.173.38 should at least temporarily prevent Defendants from distributing the Protected Channels.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 16, 2020



Gregory Duval